

SENATE BILL 7
(Public Act 97-0008; effective 6/13/11)
Reduction in Force Process

Provisions of CBAs in place before 1/1/11 regarding RIF remain in effect and control thru expiration of CBA or 6/30/13, whichever is earlier)

<p>Groupings</p> <ul style="list-style-type: none"> ➤ Performance evaluation rating is the overall annual or biannual rating (unless otherwise agreed with union). Does not include evaluation conducted during, or at end of, a 24A remediation plan. ➤ Rating from another district can only be used if approved by joint committee. ➤ Ratings: <ul style="list-style-type: none"> ▪ Excellent (E) (4 pts.) ▪ Proficient (P)(3 pts.) ▪ Needs Improvement (NI)(2 pts.) ▪ Unsatisfactory (U)(1 pt.) 	<p>Calculating Rating w/in Grouping</p> <ul style="list-style-type: none"> ➤ Calculate average of last 2 performance evaluation ratings (only for Group 2). ➤ If a teacher has received at least one performance rating from the district determining RIF sequence, if an evaluation is not conducted for any required school term, the rating is automatically deemed “proficient”. ➤ Dismiss in numerical order; dismiss teachers in lowest grouping first relative to each position. ➤ W/in Groups 3 and 4, dismissal order is determined by seniority. 	<p>Recall Rights</p> <ul style="list-style-type: none"> ➤ Recall in inverse numerical order (unless alternative order of dismissal is bargained with union) by position. ➤ Does not cover “non-renewal” of probationary teacher. ➤ Covers following school term or w/in one calendar year from beginning of next school term; can be 2 calendar yrs. based on # of teachers RIFd.
<p>1 Non-tenured. No performance evaluation rating.</p>	<p>W/in group, order of dismissal is at discretion of district.</p>	<p>None</p>
<p>2 Non-tenured and tenured. Had NI or U in one of last 2 performance evaluations.</p>	<p>Lowest average rating dismissed first within group. If same average performance rating, least senior dismissed first, unless an alternative method is negotiated with union.</p>	<p>None</p>
<p>3 Non-tenured and tenured. At least Satisfactory or P on both of last 2 performance evaluation ratings, or on one performance evaluation if only one is available.</p>	<p>Least senior dismissed first, unless an alternative method is negotiated with union.</p>	<p>Eligible for recall, in inverse order of dismissal within grouping, and by position.</p>
<p>4 Non-tenured and tenured. E in two of last three performance evaluation ratings, with a P or Satisfactory in other year.</p>	<p>Least senior dismissed first, unless an alternative method is negotiated with union.</p>	<p>Eligible for recall, in inverse order of dismissal within grouping, and by position.</p>

SENATE BILL 7
(Public Act 97-0008; effective 6/13/11)
Key Dates: Reduction in Force

(Covers a board decision to decrease # of teachers employed in the district or a discontinuance of some type of teaching service)

<i>Date</i>	<i>Requirement</i>
Sch. term 2011-2012	New RIF procedures are effective. Any provisions regarding honorable dismissals and recall of honorably dismissed teachers entered into before 1/1/11 and in effect on 6/13/11 that conflict with these changes shall remain in effect through the expiration of such agreement or 6/30/13, whichever is earlier.
12/1/11	On or before December 1, 2011, the joint committee required by SB 7 must meet to consider possible changes to Groupings related to establishment of the honorable dismissal sequence list.
2/1/12	Joint committee must reach agreement by this date for such agreement to apply to RIF decisions made that spring. Agreement requires majority vote of all members.
Early March - 2012	Public hearing on honorable dismissals. If number of honorable dismissals is more than 5, or over 150% of the average number of teachers honorably dismissed in the prior 3 years (whichever is more), the school board must hold a public hearing on the question of the dismissals. After the hearing, any action to approve a RIF must be by majority vote of the board.
Mid-March 2012	(Prior to this date) This year, and each year thereafter (at least 75 days before the end of the school term) each board, in consultation with its union, must establish an honorable dismissal sequence list.
Mid-March 2012	This year, and every year copies of the honorable dismissal sequence list must be given to the teachers' union at least 75 days before the end of the school term.
March – April 2012	Each year, with notice to union, district can still move teachers from group 1 (if evaluated) into another group between the 75 th day and 45 th day prior to end of school term.
Mid April 2012	If any teacher (tenured and non-tenured) is removed due to board decision to decrease # of teachers employed in the district or a discontinuance of some type of teaching service, written notice must be mailed to teacher and given by certified mail, return receipt requested, or personal delivery with receipt, at least 45 days before the end of the school term. Notice must include statement of honorable dismissal, and the reason(s).
5/10/12	Each year, on or before May 10 th prior to the school year during which the sequence of dismissal for a RIF is determined, each local district must categorize each teacher into one or more positions which the teacher is qualified to hold.
Aug. 2012 - Aug. 2013	During the next school term, or within one calendar year from the start of the next school term, any vacant positions becoming available must be given to teachers who were RIF'd, from groupings 3 and 4. Must be qualified for the position(s).
Aug. 2012- Aug. 2014	If the number of honorable dismissals based on economic need is more than 15% of the number of full – time equivalent positions filled by teachers (not including principals and administrative personnel), recall period is following school term or within 2 calendar years from the beginning of the next school term.

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(Public Act 97-0008; effective 6/13/11)
Establishment and Function of Joint Committee

- Timeline(s):** Any CBA entered into before 1/1/11 which conflicts with these requirements, will remain in effect and control until it expires, or 6/30/13, whichever is sooner. Initial meeting to be held on or before December 1, 2011. Any agreements must be reached prior to February 1st to apply to the RIF list for that year. Any agreements reached continue to apply until amended. There is no express requirement that the Committee meet every year; however, if there is a request from union to meet, may be best to simply meet to discuss issues. There is no requirement that any agreement be reached, or that more than one meeting occur. Failure to reach agreement means the statutory requirements apply.
- Composition:** Equal representation selected by school board and by union. Any agreement requires a majority vote of the members.
- Purpose:**
1. Must consider, and may agree, to criteria for excluding from group 2 and moving to group 3 a teacher whose last two performance evaluations were a Needs Improvement and either a Proficient or an Excellent.
 2. Must consider, and may agree, to an alternate definition for group 4. Such a new definition would have to take into account prior performance evaluations ratings, and may take into account other factors relating to the school's educational objectives. The definition cannot include any teacher with a Needs Improvement or Unsatisfactory rating on either of the teacher's last two evaluations.
 3. [Optional] Have the option to include within the definition of performance evaluation rating, a rating from another school district other than the one determining the RIF list.
 4. If the performance evaluation ratings are inconsistent with the ratings established in 24A of the Code (excellent, proficient, needs improvement, unsatisfactory), the school district must consult with the joint committee on the basis for assigning ratings that comply with 24A of the Code, in order to establish a RIF list.
- Other:**
1. W/in 10 days after distribution of the RIF list, if requested by a joint committee member, the district is to provide the members of the joint committee w/in 5 days of the request, a list of the performance evaluation ratings of all teachers, identified only by seniority. If a member believes a disproportionate number of the most senior teachers have received lower ratings, the member can ask committee to assess whether a trend exists. Following the review, a report can be submitted to the school board and/or union.